



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF M-F-

DATE: SEPT. 26, 2016

APPEAL OF TEXAS SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, a physician, seeks classification as a member of the professions holding an advanced degree. *See* section 203(b)(2) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(2). In addition, the Petitioner seeks a national interest waiver of the job offer requirement that is normally attached to this classification. *See* section 203(b)(2)(B)(i) of the Act, 8 U.S.C. § 1153(b)(2)(B)(i). This discretionary waiver allows U.S. Citizenship and Immigration Services (USCIS) to provide an exemption from the requirement of a job offer, and thus a labor certification, when it serves the national interest to do so.

The Director, Texas Service Center, denied the petition, concluding that the Petitioner did not establish that his work will be national in scope or that he will benefit the national interest to a substantially greater extent than an available U.S. worker with the same minimum qualifications. The matter is now before us on appeal.

A review of USCIS records indicates that, as of March 31, 2016, the Petitioner is a lawful permanent resident. Therefore, as the issues in this proceeding are moot, we will dismiss the appeal.

ORDER: The appeal is dismissed.

Cite as *Matter of M-F-*, ID# 48756 (AAO Sept. 26, 2016)